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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/044,899	01/09/2002	Nicholas L. Abbott	02307Z-085840US	3817
43850	7590	10/13/2006	EXAMINER	
MORGAN, LEWIS & BOCKIUS LLP (SF) 2 PALO ALTO SQUARE 3000 El Camino Real, Suite 700 PALO ALTO, CA 94306			TRAN, MY CHAU T	
			ART UNIT	PAPER NUMBER
			1639	

DATE MAILED: 10/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

20060930

DATE MAILED:

**Please find below and/or attached an Office communication concerning this application or proceeding.**

Commissioner for Patents

Application No.: 10/044,899

Art Unit: 1639

- 1) Applicant's response filed 8/8/2006 are acknowledged and entered. Applicant elected Group II (Claims 144-157) with traverse, which will be address in the First Office Action on the merit.
- 2) The reply filed on 8/8/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant's elected the following species: a) liquids as the species of analyte; b) peptides as the species of recognition moiety; c) twisted as the species of 1<sup>st</sup> orientation; d) uniform as the species of 2nd Orientation; e) visual observation as the species of mode of detection; and f) 4-cyano-4'-pentylbiphenyl as the species of mesogens. However, applicant did not provide "identification of the claims encompassing the elected invention" as required. See paragraph 23 of the Office Action mailed 4/13/2006. Accordingly, this species election is incomplete, and the response filed 4/20/2006 is considered not fully responsive to the prior Office Action mailed 4/13/2006. See 37 CFR 1.111.
- 3) Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).
- 4) Any inquiry concerning this communication or earlier communications from the examiner should be directed to My-Chau T. Tran whose telephone number is 571-272-0810. The examiner can normally be reached on Monday: 8:00-2:30; Tuesday-Thursday: 7:30-5:00; Friday: 8:00-3:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras, Jr., can be reached on 571-272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

My-Chau T. Tran  
Patent Examiner  
September 30, 2006